

**CITY OF EL PASO, TEXAS**  
**DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)**

**DEPARTMENT:** BUILDING PERMITS & INSPECTIONS

**AGENDA DATE:** NOVEMBER 9, 2004

**CONTACT PERSON/PHONE:** R. ALAN SHUBERT, P.E.

**DISTRICT(S) AFFECTED:** 2

**SUBJECT:**

**APPROVE** a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

3100 Dyer Street	\$451.98	District 2
Ramon and Rebecca Martinez Orona		

(Contact person: Thomas Maguire, Code Enforcement, (915) 541-4800)

**BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action?

Documents attached

**PRIOR COUNCIL ACTION:**

Has the Council previously considered this item or a closely related one? If so, when?

No

**AMOUNT AND SOURCE OF FUNDING:**

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

Street Department Cost for Re-securing \$451.98

**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

N/A

**\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\***

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**OTHER:**

(Example: if RCA is initiated by Purchasing, client department should sign also)

*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## **RESOLUTION**

**WHEREAS**, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolutions dated the 29th day of May and the 24<sup>th</sup> day of July, 2001, after due notice and hearing, ordered RAMON ORONA AND REBECCA MARTINEZ ORONA, record Owner of the hereinafter described property that the Buildings be re-secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to re-secure the Buildings and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to re-secure the Buildings and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for Building Permitting and Inspections Department has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the City Council determines the actual cost of re-securing the Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 9 through 16, both inclusive, Block 109, Grandview Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 11, Page 60, Plat Records of El Paso County, Texas, municipally known and numbered as 3100 Dyer Street, El Paso, Texas

to be \$451.98, performed by the Street Department of the City of El Paso making a total of \$451.98. The City Council finds that the work was completed on the 22nd day of September, 2004, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FOUR HUNDRED FIFTY-ONE and 98/XX DOLLARS (\$451.98) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

**ADOPTED this 9th day of November, 2004.**

THE CITY OF EL PASO

ATTEST:

\_\_\_\_\_  
Joe Wardy  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
*L. Hayes*  
Lisa A. Hayes  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
*R. Alan Shubert*  
R. Alan Shubert, Director  
Building Permitting and Inspections Dept.

ACKNOWLEDGEMENT

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2004 by \_\_\_\_\_, as \_\_\_\_\_ of the City of El Paso.

\_\_\_\_\_  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
\_\_\_\_\_

(Seal)  
PREPARED IN THE OFFICE OF:  
City Attorney's Office  
#2 Civic Center Plaza  
El Paso, Texas 79901-1196